To: Laidlaw, Tina[Laidlaw.Tina@epa.gov]
From: Suplee, Mike
Sent: Mon 10/20/2014 5:02:46 PM
Subject: FW: DRAFT Replacement pages
17-2505rp.docx
17-2574rp.docx
17-2581rp.docx
17-2657rp.docx
17-2658rp.docx
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17-2724rp.docx

Hi Tina;

Here is the first batch of DRAFT replacement pages that our paralegal provided to the ARM Bureau of the Secretary of State's Office on 9/30. It will be the end of November before the 'official' ones come back from the Secretary of State, so you would be better off using these. Just bear in mind that they are draft and that little numbering changes might occur in the finals. (but the content will not change).

I will send you the second batch in next email.

Mike

(d) Application fees are nonrefundable except, as required by 75-5-516(1)(d), MCA, if the permit or authorization is not issued the department shall return a portion of the application fee based on avoided enforcement costs. The department shall return 25% of the application fee if the application is withdrawn or if the department waives federal Clean Water Act section 401 certification within 30 days after submittal.

(e) Facilities with an expired permit must pay the new permit application fee for individual permit coverage as specified in Schedule I.A.

(f) Applications for new permits or permit renewals for sources that constitute a new or increased source, as defined in ARM 17.30.702(17), must pay a significance determination fee for each outfall in addition to the application fee.

(g) Discharges composed entirely of storm water from industrial activities or from mining and oil and gas activities, as defined in ARM 17.30.1105, may be incorporated into a permit application submitted under Schedule I.A. The application fee for each storm water outfall must be submitted to the department with the application.

(h) The application fee for an individual permit for a municipal separate storm sewer system (MS4) is determined by population based on the latest decennial census from the United States Census Bureau. Applications for MS4 permits with co-permittees will receive a 10% reduction in the application fee.

Schedule I.A Application Fee for Individual Permits

Category	Renewal Fee	New Permit Fee
Publicly owned treatment works - major permit	$ 4,800	$ 5,000
Privately owned treatment works - major permit	5,000	5,000
Publicly owned treatment works - minor permit	1,500	2,500
Privately owned treatment works - minor permit	3,000	4,200
Ground water permit, domestic wastes flow rate - gallons per day		
0-10,000 gpd	1,200	2,500
10,001 to 30,000 gpd	1,500	2,500
more than 30,000 gpd	2,500	4,000
Ground water permit, industrial, or other wastes		
0-1,000 gpd	1,000	1,500
1,001 to 5,000 gpd	1,500	2,500
5,001 to 10,000 gpd	2,500	3,500
more than 10,000 gpd	4,800	5,000
Concentrated animal feeding operation permit	600	600

(e) A facility that maintains compliance with permit requirements, including effluent limitations and reporting requirements, as determined by the previous year's discharge and compliance monitoring data, is entitled to a 25 percent reduction in its annual permit fee. A new permittee is not eligible for fee reduction in its first year of operation. A permittee that is under a formal enforcement order providing a compliance schedule for correction of permit violations is not eligible for a fee reduction until the violations are corrected. A permittee with a violation of any permit requirement during the previous year is not eligible for fee reduction.

(f) The annual permit fee is assessed for each calendar year or portion of the calendar year in which the permit is effective.

(9) If a person who is assessed a renewal or annual fee under this rule fails to pay the fee within 90 days after the due date for payment, the department may:

(a) impose an additional assessment consisting of 20 percent of the fee plus interest on the required fee beginning the first day after the payment is due. Interest must be computed at the rate of 12 percent per year, established under 15-1-216(4), MCA; or

(b) suspend the processing of the renewal application for a permit or authorization or, if the nonpayment involves an annual permit fee, suspend the permit, certificate, license, or other authorization for which the fee is required. The department may lift the suspension at any time up to one year after the suspension occurs if the holder has paid all outstanding fees, including all penalties, assessments, and interest imposed under this rule.

(10) The department shall give written notice to each person assessed a fee under this rule of the amount of the fee that is assessed and the basis for the department's calculation of the fee. The fee is due 30 days after the date of the written notice. The fee must be paid by a check, money order, or electronic transfer payable to the state of Montana, Department of Environmental Quality. The fee also may be paid on line at the e-bill payment service site.

(11) Persons assessed a fee under this rule may appeal the department's fee assessment to the board within 20 days after receiving written notice of the department's fee determination. The appeal to the board must include a written statement detailing the reasons why the permit holder or applicant considers the department's fee assessment to be erroneous or excessive.

(a) If part of the department's fee assessment is not in dispute in an appeal, the undisputed portion of the fee must be paid to the department upon written request of the department.

(b) The contested case provisions of the Montana Administrative Procedure Act, provided for in Title 2, chapter 4, part 6, MCA, apply to a hearing before the board under this rule. (History: 75-5-516, MCA; IMP, 75-5-516, MCA; NEW, 1994 MAR p. 672, Eff. 2/25/94; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2002 MAR p. 382, Eff. 2/15/02; AMD, 2009 MAR p. 2462, Eff. 12/25/09; AMD, 2011 MAR p. 909, Eff. 5/27/11; AMD, 2014 MAR p. 1815, Eff. 8/8/14.)

(g) Aquifer characteristics: when currently available data indicate that the movement of ground water or pollutants within the subsurface cannot be accurately predicted, such as the movement of ground water through fractures, and also indicate that this unpredictability might result in adverse impacts due to a particular concentration of a parameter in the mixing zone, it may be appropriate to deny the mixing zone for the parameter of concern.

(h) Ground water discharges to surface water: In the case of a discharge to ground water which in turn discharges to surface water within a reasonably short time or distance, the mixing zone may extend into the surface water, and the same considerations which apply to setting mixing zones for direct discharges to surface water will apply in determining the allowability and extent of the mixing zone in the surface water.

(i) Discharges to intermittent and ephemeral streams: the "natural condition" of these waters during periods of no flow will be the average quality that occurs during periods when flow is present. If a proposed discharge occurs when there is no flow, the quality of the discharge must be at or better than this quality. If variations in seasonal stream flow are known and a mixing zone is limited to use during periods when dilution is available, such a mixing zone may be allowed by the department. (History: 75-5-301, MCA; IMP, 75-5-301, MCA; NEW, 1994 MAR p. 2136, Eff. 8/12/94; TRANS, from DHES, 1996 MAR p. 1499.)

17.30.507 SPECIFIC RESTRICTIONS FOR SURFACE WATER MIXING ZONES (1) Mixing zones for surface waters are subject to the following water quality standards:

(a) narrative water quality standards, standards for harmful substances, numeric acute and chronic standards for aquatic life; standards in Department Circular DEQ-12A; and standards based on human health must not be exceeded beyond the boundaries of the surface water mixing zone;

(b) acute standards for aquatic life for any parameter may not be exceeded in any portion of a mixing zone, unless the department specifically finds that allowing minimal initial dilution will not threaten or impair existing beneficial uses.

(2) Discharges to wetlands (other than constructed wetlands) will not be granted a mixing zone for parameters for which the state has adopted numeric acute or chronic standards for aquatic life or for human health in the surface water quality standards, unless the following can be demonstrated to the satisfaction of the department:

(a) the standards referenced in (1) will not be exceeded beyond the boundaries of the mixing zone;

(b) existing beneficial uses will not be threatened or harmed; and

(c) the conditions in 75-5-303(3), MCA, are met.

(3) For discharges to surface water that first pass through the ground, such as discharges from infiltration systems or land application areas, the surface water mixing zone begins at the most upstream point of discharge into the receiving surface water. If the discharge continues to occur downstream beyond a distance equal to 10 times the stream width measured at the upstream discharge point at low flow, a standard mixing zone will not be granted. (History: 75-5-301, MCA; IMP, 75-5-301, 75-5-313, MCA; NEW, 1994 MAR p. 2136, Eff. 8/12/94; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2014 MAR p. 1815, Eff. 8/8/14.)

17.30.508 SPECIFIC RESTRICTIONS FOR GROUND WATER MIXING ZONES (1) Mixing zones for ground water are to be limited and comply with the following water quality standards:

(a) Human health based ground water standards must not be exceeded beyond the boundaries of the mixing zone.

(2) No mixing zone for ground water will be allowed if the zone of influence of an existing drinking water supply well will intercept the mixing zone. (History: 75-5-301, MCA; IMP, 75-5-301, MCA; NEW, 1994 MAR p. 2136, Eff. 8/12/94; TRANS, from DHES, 1996 MAR p. 1499.)

Rules 17.30.509 through 17.30.514 reserved

17.30.515 DEPARTMENT PROCEDURES (1) The department will determine whether a mixing zone is appropriate for a particular discharge during the department's permit, permit renewal, approval, order, or authorization review process pursuant to the rules in this subchapter. The department may determine that:

(a) no mixing zone shall be granted;

(b) the standard mixing zone applied for is appropriate;

(c) the source specific mixing zone applied for is appropriate; or

(d) an alternative or modified mixing zone, as defined by the department, is appropriate.

(2) A person applying to the department for a mixing zone must indicate the type of mixing zone applied for and supply sufficient detail for the department to make a determination regarding the authorization of the mixing zone under the rules of this subchapter.

(3) A source specific mixing zone may not be used unless approved by the department.

(4) In making a determination of nonsignificance under the rules in ARM Title 17, chapter 30, subchapter 7, a person may use a standard mixing zone without approval from the department or request that the department specifically designate a mixing zone, which may be either a standard or source specific mixing zone.

(5) Department determinations regarding mixing zones will be accomplished within the time frames required for the underlying permit, approval, or authorization, and the applicant will be notified of that determination according to those same requirements. In all other cases, department determinations will be made and the applicant notified within 30 days after receipt of a complete application.

(6) After receiving notification of the department's determination the applicant may:

(a) accept the department's determination;

(b) modify the proposed mixing zone and reapply; or

(c) appeal the department's decision pursuant to any applicable provision of law. (History: 75-5-301, MCA; IMP, 75-5-301, MCA; NEW, 1994 MAR p. 2136, Eff. 8/12/94; TRANS, from DHES, 1996 MAR p. 1499.)

17.30.516 STANDARD MIXING ZONES FOR SURFACE WATER (1) If a discharge to surface water is small in comparison to the volume of the receiving water or if the mixing is nearly instantaneous and the parameter(s) of concern will not threaten or impair existing uses as determined under ARM 17.30.506, a standard mixing zone may be used.

(2) A standard surface water mixing zone will not be granted for a new or increased discharge to a lake or wetland.

(3) Facilities that meet the terms and conditions in (a) through (e) qualify for a standard mixing zone as follows:

(a) Facilities that discharge a mean annual flow of less than one million gallons per day (MGD) to a stream segment with a dilution ratio greater than or equal to 100:1. For purposes of this procedure, the stream dilution ratio is defined as the seven-day, ten-year (7Q10) low flow of the stream segment without the discharge, divided by the mean annual flow of the discharge. In this case discharge limitations will be based on dilution with the 7Q10.

(b) Facilities that discharge a mean annual flow less than one MGD to a stream segment with a dilution less than 100:1. In cases where dilution is less than 100:1, discharge limitations will be based on dilution with 25 percent of the 7Q10.

(c) Facilities that discharge to surface waters through the ground may qualify for a standard surface water mixing zone.

(d) Facilities whose discharge results in a nearly instantaneous mixing zone. Discharge limitations shall be based on dilution with the seven-day, ten-year low flow of the receiving water except as limited by consideration of the factors listed in ARM 17.30.506. For surface waters, nearly instantaneous mixing will be assumed when there is an effluent diffuser which extends across the entire stream width (at low flow), or when the mean daily flow of the discharge exceeds the seven-day, ten-year low flow of the receiving water. A discharge may also be considered nearly instantaneous if the discharger so demonstrates in accordance with a study plan approved by the department. For the purposes of this demonstration nearly instantaneous mixing will be assumed when there will be not more than a ten percent difference in bank-to-bank concentrations at a downstream distance less than two stream/river widths.

(e) Facilities that discharge the parameters found in Department Circular DEQ-12A to surface water. Discharge limitations must be based on dilution with the entire seasonal 14-day, five-year (seasonal 14Q5) low flow of the receiving water without the discharge.

(4) The length of a standard mixing zone for flowing surface water, other than a nearly instantaneous mixing zone, must not extend downstream more than the one-half mixing width distance or extend downstream more than ten times the stream width, whichever is more restrictive. For purposes of making this determination, the stream width as well as the discharge limitations are considered at the 7Q10 or seasonal 14Q5 low flow. The seasonal 14Q5 low flow may be used only in conjunction with base numeric nutrient standards in Department Circular DEQ-12A. The recommended calculation to be used to determine the one-half mixing width distance downstream from a stream bank discharge is described below.

(a) $A_{1/2} = [0.4(W/2)^2V]/L$, where:

(i) $A_{1/2}$ = one-half mixing width distance;

(ii) W = width in feet at the 7Q10 or seasonal 14Q5;

(iii) V = velocity of the stream at the 7Q10 or seasonal 14Q5 downstream of the discharge (in ft/second);

(iv) L = lateral dispersion coefficient for the 7Q10 or seasonal 14Q5 downstream of the discharge (in ft^2/second), where:

(b) L = CDU, where:

(i) C = channel irregularity factor immediately downstream of the discharge, where:

(A) C = 0.1 for straight, rectangular streams;

(B) C = O.3 for channelized streams;

(C) C = 0.6 for natural channels with moderate meandering;

(D) C = 1.0 for streams with significant meandering; and

(E) C = 1.3 for streams with sharp 90° or more bends;

(ii) D = average water depth at the 7Q10 or seasonal 14Q5 downstream of the discharge (in feet);

(iii) U = shear velocity (in ft/sec), where:

(c) $U = (32.2DS)^{1/2}$, where:

(i) 32.2 is the acceleration due to gravity (32.2 ft/sec^2);

(ii) D = average water depth at the 7Q10 or seasonal 14Q5 downstream of the discharge (in feet); and

(iii) S = slope of the channel downstream of the discharge (feet/feet).

(5) Monitoring may be required at the downgradient boundary of a surface water mixing zone only when there is a site-specific, impact-related reason to require such monitoring.

(6) A standard surface water mixing zone may be modified by the department on a case-by-case basis depending upon existing uses, flow regime, and the configuration of the stream channel. Where currently available data indicates that modifying a standard mixing zone would threaten or impair existing beneficial uses under ARM 17.30.506, the facility will not qualify for this modification procedure. (History: 75-5-301, MCA; IMP, 75-5-301, MCA; NEW, 1994 MAR p. 2136, Eff. 8/12/94; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2006 MAR p. 528, Eff. 2/24/06; AMD, 2014 MAR p. 1815, Eff. 8/8/14.)

17.30.517 STANDARD MIXING ZONES FOR GROUND WATER (1) The following criteria apply to determine which discharges qualify for a standard ground water mixing zone:

(a) A standard ground water mixing zone is generally applicable in unconfined aquifers, but may not be appropriate for semi-confined or confined aquifers or in aquifers where ground water moves through fractures.

(b) Disposal systems that discharge to ground water through infiltration, drainfields, injection through a disposal well, leakage from an impoundment, seepage from a land application area, or other methods may qualify for a standard mixing zone.

(c) To determine if the discharge qualifies for a standard ground water mixing zone, the person proposing the discharge must estimate the anticipated concentration of pollutants at the downgradient boundary of the mixing zone (aquatic life standards do not apply in ground water). If the estimated concentration meets the nonsignificance criteria at the boundary of the mixing zone, as specified in ARM Title 17, chapter 30, subchapter 7, the discharge qualifies for a standard mixing zone.

(28) "Semi-permanent lake or pond" means a natural depression in the land surface, not including reservoirs, that receives ground water in addition to precipitation runoff from the immediate watershed, and occasionally goes dry.

(29) "Settleable solids" means inorganic or organic particles that are being transported or have been transported by water from the site or sites of origin and are settled or are capable of being settled from suspension.

(30) "Sewer" means a pipe or conduit that carries wastewater or drainage water.

(31) "Surface waters" means any waters on the earth's surface including, but not limited to, streams, lakes, ponds, and reservoirs; and irrigation and drainage systems discharging directly into a stream, lake, pond, reservoir, or other surface water. Water bodies used solely for treating, transporting, or impounding pollutants shall not be considered surface water.

(32) "Storm sewer" or "storm drain" means a pipe or conduit that carries storm water and surface water and street washings.

(33) "Total nitrogen" means the sum of all nitrate, nitrite, ammonia, and organic nitrogen, as N, in an unfiltered water sample. Total nitrogen in a sample may also be determined by the persulfate digestion or as the sum of total kjeldahl nitrogen plus nitrate plus nitrite.

(34) "Total phosphorus" means the sum of orthophosphates, polyphosphates, and organically bound phosphates, as P, in an unfiltered water sample. Total phosphorus may also be determined directly by persulfate digestion.

(35) "Toxic parameters" means those parameters listed as toxins in department Circular DEQ-7.

(36) "True color" means the color of water from which the turbidity has been removed.

(37) "Turbidity" means a condition in water or wastewater caused by the presence of suspended matter resulting in the scattering and absorption of light rays.

(38) "Use attainability analysis" means a scientific assessment and analysis of the factors affecting the attainment of a use(s). Information that may be used include chemical, physical and biological data, as well as photo documentation and comparison to reference conditions, that are of sufficient detail to accurately portray the level and potential level of use support of a waterbody. The use attainability analysis is required by the US EPA according to 40 CFR 131.10(g), (h) and (j).

(39) "DEQ-7" means the department circular that is adopted and incorporated by reference in ARM 17.30.619 and is entitled "Montana Numeric Water Quality Standards." This circular establishes water quality standards for toxic, carcinogenic, bioconcentrating, radioactive, and harmful parameters, and also establishes human health-based water quality standards for the following specific nutrients with toxic effects:

(a) nitrate;

(b) nitrate + nitrite; and

(c) nitrite.

(40) "DEQ-12A" means the department circular that is adopted and incorporated by reference in ARM 17.30.619 and is entitled "Montana Base Numeric Nutrient Standards." This circular contains numeric water quality standards for total nitrogen and total phosphorus in surface waters.

(41) "DEQ-12B" means the department circular that is adopted and that is entitled "Montana Base Numeric Nutrient Standards Variances." This circular describes procedures for receiving a variance from the standards and will document recipients of individual variances. (History: 75-5-201, 75-5-301, MCA; IMP, 75-5-301, 75-5-313, MCA; Eff. 12/31/72; AMD, Eff. 11/4/73; AMD, Eff. 9/5/74; AMD, 1980 MAR p. 2252, Eff. 8/1/80; AMD, 1988 MAR p. 1191, Eff. 6/10/88; AMD, 1988 MAR p. 2221, Eff. 10/14/88; AMD, 1992 MAR p. 2064, Eff. 9/11/92; AMD, 1994 MAR p. 2136, Eff. 8/12/94; AMD, 1995 MAR p. 1798, Eff. 9/15/95; AMD, 1996 MAR p. 555, Eff. 2/23/96; TRANS, from DHES, 1996 MAR p. 1499; AMD, 1999 MAR p. 94, Eff. 1/15/99; AMD, 1999 MAR p. 2257, Eff. 10/8/99; AMD, 1999 MAR p. 2275, Eff. 10/8/99; AMD, 2002 MAR p. 387, Eff. 2/15/02; AMD, 2002 MAR p. 2196, Eff. 8/16/02; AMD, 2003 MAR p. 779, Eff. 4/25/03; AMD, 2006 MAR p. 528, Eff. 2/24/06; AMD, 2012 MAR p. 2060, Eff. 10/12/12; AMD, 2014 MAR p. 1815, Eff. 8/8/14.)

17.30.603 APPLICATION AND COMPOSITION OF SURFACE WATER QUALITY STANDARDS (1) The standards in this subchapter are adopted to establish maximum allowable changes in surface water quality and to establish a basis for limiting the discharge of pollutants which affect prescribed beneficial uses of surface waters.

(2) The surface water quality standards are composed of all rules of this subchapter.

(3) The provisions of ARM 17.30.635 through 17.30.637, 17.30.640, 17.30.641, 17.30.645, and 17.30.646 apply to all surface waters unless they conflict with ARM 17.30.620 through 17.30.629 in which case the requirements of ARM 17.30.620 through 17.30.629 prevail.

(4) The standards of this subchapter are applicable where these standards are or would be violated by discharges to ground water. (History: 75-5-201, 75-5-301, MCA; IMP, 75-5-301, MCA; Eff. 12/31/72; AMD, Eff. 11/4/73; AMD, Eff. 9/5/74; AMD, 1980 MAR p. 2252, Eff. 8/1/80; AMD, 1992 MAR p. 2064, Eff. 9/11/92; TRANS, from DHES, 1996 MAR p. 1499.)

Rules 17.30.604 and 17.30.605 reserved

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17.30.619 INCORPORATIONS BY REFERENCE (1) The board adopts and incorporates by reference the following state and federal requirements and procedures as part of Montana's surface water quality standards:

(a) Department Circular DEQ-7, entitled "Montana Numeric Water Quality Standards" (October 2012 edition), which establishes water quality standards for toxic, carcinogenic, bioconcentrating, radioactive, and harmful parameters and also establishes human health-based water quality standards for the following specific nutrients with toxic effects:

(i) nitrate;

(ii) nitrate + nitrite; and

(iii) nitrite;

(b) the Water Quality Standards Handbook, Second Edition, EPA-823-B-94-005a, August 1994, that sets forth procedures for development of site-specific criteria;

(c) 40 CFR Part 136 (July 1, 2011), which establishes guidelines and procedures for the analysis of pollutants;

(d) 40 CFR 131.10(g), (h) and (j) (2000), which establishes criteria and guidelines for conducting a use attainability analysis; and

(e) Department Circular DEQ-12A, entitled "Montana Base Numeric Nutrient Standards" (July 2014 edition), which establishes numeric water quality standards for total nitrogen and total phosphorus in surface waters.

(2) If a court of competent jurisdiction declares 75-5-313, MCA, or any portion of that statute invalid, or if the United States Environmental Protection Agency disapproves 75-5-313, MCA, or any portion of that statute, under 30 CFR 131.21, or if rules adopted pursuant to 75-5-313(6) or (7), MCA, expire and general variances are not available, then (1)(e) and all references to DEQ-12A, base numeric nutrient standards and nutrient standards variances in ARM 17.30.201, 17.30.507, 17.30.516, 17.30.602, 17.30.622 through 17.30.629, 17.30.635, 17.30.702, and 17.30.715 are void, and the narrative water quality standards contained in ARM 17.30.637 are the standards for total nitrogen and total phosphorus in surface water, except for the Clark Fork River, for which the standards are the numeric standards in ARM 17.30.631.

(3) Copies of the materials listed in (1) may be obtained from the Department of Environmental Quality, P.O. Box 200901, Helena, MT 59620-0901. (History: 75-5-201, 75-5-301, MCA; IMP, 75-5-301, 75-5-313, MCA; NEW, 2002 MAR p. 387, Eff. 2/15/02; AMD, 2002 MAR p. 2196, Eff. 8/16/02; AMD, 2003 MAR p. 217, Eff. 2/14/03; AMD, 2004 MAR p. 725, Eff. 4/9/04; AMD, 2006 MAR p. 528, Eff. 2/24/06; AMD, 2008 MAR p. 946, Eff. 5/9/08; AMD, 2010 MAR p. 1796, Eff. 8/13/10; AMD, 2012 MAR p. 2060, Eff. 10/12/12; AMD, 2014 MAR p. 1815, Eff. 8/8/14.)

(f) No increases are allowed above naturally occurring concentrations of sediment or suspended sediment (except as permitted in 75-5-318, MCA), settleable solids, oils, or floating solids, which will or are likely to create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, welfare, livestock, wild animals, birds, fish, or other wildlife.

(g) True color must not be increased more than two color units above naturally occurring color.

(h) Concentrations of carcinogenic, bioconcentrating, toxic, radioactive, nutrient, or harmful parameters may not exceed the applicable standards set forth in Department Circular DEQ-7 and, unless a nutrient standards variance has been granted, Department Circular DEQ-12A.

(i) Dischargers issued permits under ARM Title 17, chapter 30, subchapter 13, shall conform with ARM Title 17, chapter 30, subchapter 7, the nondegradation rules, and may not cause receiving water concentrations to exceed the applicable standards contained in Department Circular DEQ-7 and, unless a nutrient standards variance has been granted, Department Circular DEQ-12A when stream flows equal or exceed the design flows specified in ARM 17.30.635(2).

(j) If site-specific criteria for aquatic life are adopted using the procedures given in 75-5-310, MCA, the criteria shall be used as water quality standards for the affected waters and as the basis for permit limits instead of the applicable standards in Department Circular DEQ-7.

(k) In accordance with 75-5-306(1), MCA, it is not necessary that wastes be treated to a purer condition than the natural condition of the receiving water as long as the minimum treatment requirements, adopted pursuant to 75-5-305, MCA, are met. (History: 75-5-201, 75-5-301, MCA; IMP, 75-5-301, MCA; Eff. 12/31/72; AMD, Eff. 11/4/73; AMD, Eff. 9/5/74; AMD, 1980 MAR p. 2252, Eff. 8/1/80; AMD, 1984 MAR p. 1802, Eff. 12/14/84; AMD, 1988 MAR p. 1191, Eff. 6/10/88; AMD, 1994 MAR p. 2136, Eff. 8/12/94; AMD, 1995 MAR p. 1798, Eff. 9/15/95; AMD, 1996 MAR p. 555, Eff. 2/23/96; TRANS, from DHES, and AMD, 1996 MAR p. 1499, Eff. 6/7/96; AMD, 1999 MAR p. 94, Eff. 1/15/99; AMD, 1999 MAR p. 2257, Eff. 10/8/99; AMD, 1999 MAR p. 2275, Eff. 10/8/99; AMD, 2002 MAR p. 1089, Eff. 2/15/02; AMD, 2006 MAR p. 528, Eff. 2/24/06; AMD, 2014 MAR p. 1815, Eff. 8/8/14.)